

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 15, 19-20, 22-26, and 28-35 are presently active in this case. The present Amendment amends Claims 15, 19, 22-23; cancels Claims 16-18, 21, and 27 and adds Claims 29-35.

The outstanding Office Action objected to the specification and abstract because of informalities. Claims 15-23, 27 and 28 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wattron (U.S. Patent No. 5,522,208). Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over Wattron in view of Geisthoff (U.S. Patent No. 3,961,677).

Claims 25 and 26 were indicated as allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter. In response, the features of Claim 25 are incorporated in new independent Claim 35. However, since Applicant considers that *amended* Claim 15, from which Claims 25-26 depend, defines patentable subject matter, Claims 25-26 are maintained in dependent form at the present time.

In response to the objections to the specification and the Abstract, the specification is amended and the Abstract of the Disclosure is rewritten to correct the noted informalities. In light of their formal nature, the changes to the specification and Abstract do not raise a question of new matter.

In order to clarify Applicant's invention, Claim 15 is amended. This amendment finds non-limiting support in the disclosure as originally filed, for example in the original claims and at page 6, lines 16-21 and in the figures. For consistency to the changes to Claim 15, Claims 16-18, 21, and 27 are cancelled.

In order to vary the scope of protection recited in the claims, new Claims 29-34 are added. New Claims 29-34 find non-limiting support in the disclosure as originally filed, for example at page 6, lines 22-39 with corresponding Fig. 4. Therefore, the changes to the claims are not believed to raise a question of new matter.¹

In response to the rejections of the claims under 35 U.S.C. §103(a), Applicant respectfully requests reconsideration of these rejections and traverses the rejections, as discussed next.

Briefly recapitulating, Applicant's invention, as recited in amended Claim 15, relates to an agricultural machine including a body resting at least partially on the ground, the body is configured to be hitched to a tractor vehicle. The agricultural machine also includes a primary hitch bar connected to the body; and a secondary hitch bar connected to the primary hitch bar in a pivoting manner by a first articulation defining a first pivoting axis directed upward and a second articulation defining a second substantially horizontal pivoting axis directed in a direction of travel. At least one jaw is connected to the secondary hitch bar and comprising an opening widening out in a substantially vertical direction. A support spindle is connected to an intermediate bar, wherein during hitching the support spindle is configured to engage in the at least one jaw in a pivoting manner so as to form a third articulation pivoting along a third substantially horizontal pivoting axis directed transversely to the direction of travel. The agricultural machine also includes an adapter configured to be rigidly connected to a drawbar of the tractor vehicle and to the intermediate bar of the support spindle, wherein the drawbar has a gage that may vary according to the brand and power category of the tractor vehicle.

¹ See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Turning now to the applied prior art, the Wattron patent discloses a farm machine with a connecting assembly that includes a tow-bar having a primary tow-bar connected to two lower bars of a tractor hitching device. A secondary tow-bar is connected to a body. The Wattron patent, however, fails to teach or suggest Applicant's claimed agricultural machine. In particular, the Wattron patent fails to teach or suggest the claimed adapter, which is configured to be rigidly connected to a drawbar of a tractor vehicle and to an intermediate bar of the support spindle, wherein the drawbar has a gage that may vary according to the brand and power category of the tractor vehicle. The Geisthoff patent also fails to teach such an adapter. Therefore, even if the combination of the Wattron and Geisthoff patents is assumed to be proper, the combination fails to teach every element of the claimed invention. Accordingly, Applicant respectfully traverses, and requests reconsideration of, this rejection based on these patents.² In addition, there is no apparent reason to modify the Wattron machine by incorporating an adapter, as claimed.

Further, the combination of the Wattron and Geisthoff patents fails to teach the features of new dependent Claims 29-34, in combination with those of independent Claim 15. Thus, Claims 29-34 are further believed to be allowable.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 15, 19-20, 22-26, and 28-35 is earnestly solicited.

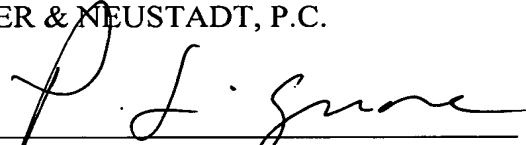
² See MPEP 2142 stating, as one of the three "basic criteria [that] must be met" in order to establish a *prima facie* case of obviousness, that "the prior art reference (or references when combined) must teach or suggest all the claim limitations," (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

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Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in dark ink, appearing to read "P. J. Signore", is written over a horizontal line.

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